IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13225 of 2004

Between:

S.V. Simhachalam, S/o. Sri Kunchaiah, Aged about 42 years, R/o Abdul Razak Street, Wynchipet, Vijayawada-1.

..... PETITIONER

AND

Vijayawada Municiopal Corporation, represented by its Commissioner, Vijayawada.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ order or Direction more particularly in the nature of writ of Mandamus declaring the proceedings Rc.Ni-35614/2004 dt. 29.06.2004 of the respondent herein as illegal and arbitrary exercise of powers under A.P. Civil Service Rules (CCA) 1991 under the pretext of public interest and consequently set aside the same.

For the Petitioner: Mr.Sai Gangadhar Chamarty, Advocate.

For the Respondent: Mr.T.S.Venkataramana, S.C. for Vijayawada Municipal Corporation.

The Court made the following order at the admission stage:

ORDER:

The petitioner, being the employee of the respondent-Corporation, ought to have approached the Administrative Tribunal for appropriate relief. Since the petitioner directly approached this Court, the writ petition cannot be. But, since the petitioner is representing that his representation for revocation of the suspension is pending before the respondent-Corporation, the respondent-Corporation may pass appropriate orders on the representation of the petitioner at the earliest.

The writ petition is accordingly dismissed. No order as to costs.

30-07-2004

ghn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner, Vijayawada Municiopal Corporation, Vijayawada.
2. Two CD copies.